

**LODI CITY COUNCIL
REGULAR CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, DECEMBER 1, 2004**

A. CALL TO ORDER / ROLL CALL

The Regular City Council meeting of December 1, 2004, was called to order by Mayor Hansen at 7:04 p.m.

Present: Council Members – Beckman, Hitchcock, Howard, Land, and Mayor Hansen

Absent: Council Members – None

Also Present: Interim City Manager Keeter, City Attorney Schwabauer, and City Clerk Blackston

B. INVOCATION

The invocation was given by Reverend Kevin Suess, Lodi Community Church.

C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Hansen.

D. AWARDS / PROCLAMATIONS / PRESENTATIONS

D-1 (a) Mayor Hansen presented the Mayor's Community Service Award to Patricia Sherman, President of Animal Friends Connection (AFC). Patricia Sherman co-founded AFC, a private, non-profit organization, in 1992, which was instrumental in creating a network of volunteers, community programs, an education center, and public events dedicated to providing permanent homes for animals in need. Ms. Sherman devoted countless volunteer hours to rescuing and caring for homeless animals, and because of her efforts, AFC now has a business and education center and cat adoption facility located on Cherokee Lane. Ms. Sherman coordinates multiple fundraisers and works with grant organizations, such as Maddie's Fund, to successfully keep AFC in the business of helping homeless pets. Ms. Sherman has demonstrated unwavering dedication to her calling of animal welfare and outstanding service to this community.

NOTE: Dr. Walter Reiss, founder and volunteer doctor at the Salvation Army – Lodi Memorial Hospital Medical Clinic, was also a recipient of the Mayor's Community Service Award; however, he was unable to attend the meeting due to unforeseen circumstances. He will receive his award at the City Council meeting of December 15, 2004.

D-2 Proclamations – None

D-3 Presentations – None

E. CONSENT CALENDAR

In accordance with the report and recommendation of the City Manager, Council, on motion of Council Member Land, Beckman second, unanimously approved the following items hereinafter set forth:

E-1 Claims were approved in the amount of \$4,709,891.03.

E-2 The minutes of October 20, 2004 (Regular Meeting), November 16, 2004 (Shirtsleeve Session), and November 18, 2004 (Special Meeting) were approved as written.

E-3 Adopted Resolution No. 2004-261 accepting improvements at 620 South Cherokee Lane and appropriating funds in the amount of \$16,000 for the required reimbursements.

E-4 Adopted Resolution No. 2004-262 approving the final map, improvement agreement, and maintenance agreement for Wine and Roses Residences, Tract No. 3409, and directed the City Manager and City Clerk to execute the improvement agreement, maintenance agreement, and map on behalf of the City.

- E-5 Adopted Resolution No. 2004-263 taking the following actions:
- Approving the final map and improvement agreement for The Villas, Tract No. 3400, directing the City Manager and City Clerk to execute the improvement agreement and map on behalf of the City, and appropriating funds in the amount of \$25,500 for the required reimbursements; and
 - Approving installation of no-parking zones on Via Marco Lane, Massarosa Lane, San Pietro Lane, Felino Lane, Vallini Lane, Marano Lane, Mercato Lane, Palazzo Lane, and Corfino Lane, within the subdivision.
- E-6 Adopted Resolution No. 2004-264 authorizing the City Manager to allocate Public Benefit Program funds not to exceed \$25,000 for Lodi's second Electronic Waste Clean-up Day and authorizing the City Manager to execute a contract with Teris LLC/MSE Environmental to provide disposal and recycling services for this program.
- E-7 Adopted Resolution No. 2004-265 authorizing the City Manager to amend the existing Lodi House-As-A-System Inspection Program by increasing the rebate amount for air duct replacement from \$600 to \$1,000.
- E-8 Adopted Resolution No. 2004-266 authorizing the City Manager to amend the existing Lodi Energy Efficient Home Improvement Rebate Program by including three new items that will be eligible for rebate and authorizing the City Manager to allocate \$50,000 in Public Benefit Program funds to continue this program.
- E-9 Adopted Resolution No. 2004-267 authorizing destruction of certain records retained by the Lodi Police Department in excess of five years of age as follows:
- Background investigations and employment records of previous employees who have left employment with the City over five years ago. This **does not** include retirees.
 - Background investigations of previous applicants not hired, over five years old.
 - Crime reports, incident reports, and traffic reports over five years old, except for those with pending court action and all homicide investigations.
 - Investigations of Citizens Complaints over five years old.
- E-10 Adopted Resolution No. 2004-268 approving Year 2004 amendments to Conflict of Interest Code (Government Code §87306.5).
- E-11 Set public hearing for December 15, 2004, to consider the Planning Commission's recommendation for the 2004 Growth Management Allocations.
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F. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

- Jerry Glenn, Adopt-A-Child Board of Directors member, described the annual Christmas program for needy children. He encouraged Council Members and the public to participate.

G. PUBLIC HEARINGS

None.

H. COMMUNICATIONS

H-1 Claims filed against the City of Lodi – None

H-2 Reports: Boards/Commissions/Task Forces/Committees – None

H-3 The following postings/appointments were made:

- a) The City Council, on motion of Mayor Pro Tempore Beckman, Land second, unanimously directed the City Clerk to post for the following vacancy on the Parks and Recreation Commission:

Parks and Recreation Commission

Bob Johnson Term to expire December 31, 2006

H-4 Miscellaneous – None

I. REGULAR CALENDAR

None.

J. ORDINANCES

None.

K. REORGANIZATION OF THE CITY COUNCIL

K-1 “Resolution certifying the election results of the November 2, 2004, General Municipal Election”

City Clerk Blackston noted that Council received a “blue sheet” of the Registrar of Voter’s Certificate of Results of the City of Lodi City Council Municipal Election and Consolidated Ballot Measure Election (Measure “R”) held on November 2, 2004 (filed). She reported the following final official results for Lodi City Council Member:

- Bob Johnson – received 10,254 votes
- JoAnne Mounce – received 9,877 votes
- Steve Jarrett – received 6,507 votes
- Dixon Flynn – received 6,147 votes
- Stephen Mackey – received 2,048 votes

Ms. Blackston reported that as a result, elected to fill the two vacancies on the City Council were: Bob Johnson and JoAnne Mounce

In addition, Measure R, the Large-Scale Retail Initiative, received 8,701 “yes” votes and 11,694 “no” votes. Consequently, the measure was *not* carried and shall not be deemed adopted and ratified.

MOTION / VOTE:

The City Council, on motion of Council Member Land, Beckman second, unanimously adopted Resolution No. 2004-269 certifying the election results of the November 2, 2004, General Municipal Election.

K-2 “Presentations to outgoing Council Members and Mayor”

Interim City Manager Keeter introduced Assemblymember Alan Nakanishi, who presented outgoing Council Member Land with a California Legislative Assembly Resolution in honor of his service.

Council Member Land stated that it had been a privilege to serve as Lodi’s Mayor and Council Member with so many progressive, considerate, and committed City employees. He thanked Janet Keeter for her exemplary service as Interim City Manager. He also commented that it had been an honor to serve with now Assemblyman Alan Nakanishi, Superior Court Judge Dave Warner, Supervisor Jack Sieglock, and Council Members Phil Pennino, Steve Mann, Bob Johnson, and Emily Howard. He also thanked Mayor Hansen

and Mayor Pro Tempore Beckman for listening to his concerns. He congratulated Council Members Elect Johnson and Mounce. He highlighted the following accomplishments that he was most proud of having occurred over the past eight years:

- Hutchins Street Square
- Downtown Revitalization
- Downtown Parking Structure
- Train Station
- New Police Station
- Fire Station 4
- Lodi Lake Beach and Bicycle/Pedestrian Improvements
- Cherokee Lane Improvements
- Lower Sacramento Road Improvements
- Hutchins Street Median Improvements

Council Member Land expressed his disappointment that the new animal shelter was not a reality during his term and hoped that when the time was right, Council would make this its top priority. He was proud of being part of a collaboration that developed and created 26 units of decent, safe, affordable housing for individuals, families, and seniors in Lodi. These included working with Lodi House, Loel Foundation, San Joaquin County Housing Authority, Lodi Community Development Department, and Habitat for Humanity. Mr. Land stated that his greatest accomplishment, however, was the addition of seven grandchildren that he and his wife were blessed with during the past eight years. A year ago, his family experienced a life threatening occurrence, which made him realize that he needed to spend more time at home. He thanked his family, friends, and loyal supporters for their help and encouragement and his employer, F&M Bank, for allowing him the time to serve.

Assemblymember Alan Nakanishi presented outgoing Council Member Howard with a California Legislative Assembly Resolution in honor of her service.

Council Member Howard welcomed Council Members Elect Johnson and Mounce. She noted that the care and preparation that goes into every City Council meeting is a reflection of the hard work that all the employees of the City do on a daily basis. She expressed thanks to City employees, the City Council, and recognized her husband Tim and daughters, Jillian and Madison. Reflecting on the November 2000 election when she was a candidate, Ms. Howard thanked all of her supporters and the endorsement of the Lodi Professional Firefighters.

Interim City Manager Keeter presented Council Member Land with a token of appreciation on behalf of the City of Lodi. She noted that Mr. Land had served as a Council Member for eight years and as Mayor in 1999. She commented that Mr. Land has been known for his sense of humor, his passion for children, and for those facing low-income housing challenges in Lodi. He also served on the Local Agency Formation Commission, Northern California Power Agency, Lodi House Board of Directors, the City/Lodi Unified School District 2x2, and the San Joaquin Housing Authority. She reviewed projects that were completed during his tenure, which included (in addition to his previously noted accomplishments) Year 2000 Compliance, Kettleman Lane Improvements, Lodi Avenue railroad track paving, industrial business growth, Lodi Skate Park, and the All Veterans Plaza. She commented that Mr. Land was instrumental in the Kids' Night Out event, a Code of Ethics and Values for the City Council, and mission statement for the City.

Interim City Manager Keeter presented Council Member Howard with a token of appreciation on behalf of the City of Lodi. She noted that Ms. Howard had served as a Council Member for four years and as Mayor Pro Tempore in 2003. Ms. Howard was actively involved in the Youth Commission as an adult advisor and also served on the San Joaquin Council of Governments (SJCOC) Board of Directors and the Abandoned Vehicle Abatement Services Authority. Ms. Howard organized the Kids' Safety Day at Blakely

Park, promoted identity theft awareness, lobbied on behalf of the City and the region in Washington D.C. with the SJCOG One Voice, and was involved with resolving the PCE/TCE litigation. Ms. Howard advocated for the skate park, was vigilant about not missing Council meetings despite having two young children, and always maintained a gracious demeanor even during trying times.

Ms. Keeter presented outgoing Mayor Hansen with a plaque in gratitude for his hard work and effort during the past year. She noted that he had dedicated an enormous amount of time to the environmental abatement litigation and mediation sessions. Mr. Hansen has shown great compassion for youth and seniors and cares deeply about the affordable housing challenges in Lodi. She highlighted the following accomplishments:

- Hired a new City Attorney and legal team
- Recruiting for a new City Manager
- Measure R, the citizens' Large-Scale Retail Initiative, process was completed
- Adoption of the Housing Element
- Embarking on a new budget strategy to solve the City's fiscal imbalance
- Supporting the Greenbelt Task Force efforts

Mayor Hansen thanked Council Member Howard and Land for their service. He presented City Clerk Blackston with a token of appreciation for her assistance. He thanked his daughter Mary and wife Linda for their patience and support and presented each with floral bouquets. He also expressed gratitude to Council Member Hitchcock and Mayor Pro Tempore Beckman for their work and assistance, and to the citizens of Lodi for the opportunity to serve.

K-3 "City Clerk to administer the Oath of Office to Lodi City Council Members Elect and present Certificates of Election"

City Clerk Blackston called forward Council Members Elect Bob Johnson and JoAnne Mounce, administered the Oath of Office, and presented each with a Certificate of Election. The newly elected Council Members took their seats at the Council dais.

K-4 "Reorganization of the Lodi City Council: a) Election of Mayor and b) Election of Mayor Pro Tempore"

City Clerk Blackston, serving as Chair, conducted the election for the office of Mayor as follows.

NOMINATION(S) FOR MAYOR / VOTE:

Council Member Hansen, seconded by Council Member Hitchcock, nominated John Beckman for the office of Mayor.

There being no further nominations for the office of Mayor, the nominations were closed.

Resolution No. 2004-270 nominating John Beckman for the position of Mayor carried by the following vote:

Ayes: Council Members – Beckman, Hansen, Hitchcock, Johnson, and Mounce

Noes: Council Members – None

Absent: Council Members – None

City Clerk Blackston turned over the gavel to newly elected Mayor Beckman who then conducted the election for the office of Mayor Pro Tempore.

NOMINATION(S) FOR MAYOR PRO TEMPORE / VOTE:

Council Member Mounce, seconded by Council Member Johnson, nominated Susan Hitchcock for the office of Mayor Pro Tempore.

There being no further nominations for the office of Mayor Pro Tempore, the nominations were closed.

Resolution No. 2004-271 nominating Susan Hitchcock for the position of Mayor Pro Tempore carried by the following vote:

Ayes: Council Members – Hansen, Hitchcock, Johnson, Mounce, and Mayor Beckman

Noes: Council Members – None

Absent: Council Members – None

L. COMMENTS BY CITY COUNCIL MEMBERS ON NON-AGENDA ITEMS

- Mayor Pro Tempore Hitchcock thanked Council Member Hansen for the outstanding job he did serving as Mayor. She noted that he went “above and beyond” in terms of his passion and time devoted, and particularly, toward solving the environmental abatement problem.
- Council Member Johnson recalled that six years ago he was appointed to fill the remaining term of Judge Warner on the Council. He enjoyed that opportunity and looked forward to his current term on the Council. He thanked his campaign supporters and his wife Carolyn and presented her with a bouquet of flowers.
- Council Member Mounce stated that she was honored to be elected as Council Member and thanked all the citizens of Lodi, her family, and campaign supporters.
- Mayor Beckman congratulated Council Members Johnson and Mounce. He thanked Council Member Hansen and commented that he had likely put in more hours and work during the past year than any Mayor Lodi has ever had. He noted that located in the glass display case in the Carnegie Forum lobby was a replica of the Lodi Arch that his grandfather constructed out of wine corks. He recognized and thanked Major Frank Severs of the Salvation Army for providing a crucial service to the City, which government cannot provide. He encouraged all citizens to contribute to the Salvation Army Christmas fundraiser. In conclusion, Mayor Beckman thanked his pastor, Chris Chavez, and wife Nancy.

M. COMMENTS BY THE CITY MANAGER ON NON-AGENDA ITEMS

None.

N. ADJOURNMENT

There being no further business to come before the City Council, the meeting was adjourned at 8:11 p.m.

ATTEST:

Susan J. Blackston
City Clerk